# MINUTES FROM THE MEETING OF THE MEDICAL LICENSING BOARD OF INDIANA

Thursday, October 27, 2022

Indiana Government Center South Conference Center Rooms 1 & 2 402 West Washington Street Indianapolis, Indiana 46204

# I. Call to Order and Establishment of Quorum

8:30 a.m.

## **Board Members Present:**

John Strobel, MD Kirk Masten, DO Rebecca Mueller, MD Bharat Barai, MD Heidi Dunniway, MD Victoria McCann, JD

#### **PLA Staff:**

Alyssa Servies, JD, MPH Zharia Collins

#### **Advisory Counsel:**

Adam Harvey, JD

#### II. Adoption of the Agenda

A motion was made and seconded to adopt the agenda. McCann/Dunniway 6-0-0.

#### **III.** Discussion Items

- 1. OAG Report: The report was presented by Deputy Attorney General, Ryan Eldridge.
- 2. Director's Report: The report was presented by Board Director, Alyssa Servies.
- 3. College of Traditional Midwifery Education Program Approval

A motion was made and seconded to approve the educational program. Mueller/Dunniway 6-0-0.

4. Rule Readoptions (LSA Document # 22-255)

A motion was made and seconded to readopt the rules. Mueller/Masten 6-0-0.

#### IV. Administrative Hearings

9:30 a.m.

1. In the Matter of the License of Devang Desai, M.D., 01070357A Administrative Cause No. 2012 MLB 0061

Re: Petition for Reinstatement

DAG: Ryan Eldridge with Certified Legal Intern, Carolyn Rowe

Respondent: Present with counsel, Jim Bleeke

Witness(es): Devang Desai M.D.; Molly Dagon, ISMA PAP Case Manager

Exhibit(s): Exhibit A: Dr. Desai's curriculum vitae

Supportive Letters:

Exhibit B-1: Barbara Laukaitis, counselor, dated August 4, 2022 Exhibit B-2: Barbara Laukaitis, counselor, dated August 20, 2022

Exhibit C: Lisa Desai, dated August 8, 2022 Exhibit D: Stephanie Smith, dated August 8, 2022

Exhibit E: Sean Crovetti Exhibit F: Rex McCarty Exhibit G: Jesse Ortega

Exhibit H: Magda Scanlan, dated August 11, 2022 Exhibit I: Sanja G. Adhia, dated August 13, 2022

A motion was made and seconded to reinstate the license on indefinite probation for a period of at least three (3) years or the length of a residency program, whichever is longer. Dr. Desai must be accepted to a residency program within two (2) years of the date of the final order. Upon acceptance, Dr. Desai must report to the Board the program name as well as the name of the director. While on indefinite probation, Dr. Desai is to submit a signed board order from the director of his residency program, as well as quarterly reports from his director. Dr. Desai must be involved in a physician assistance program in his primary state of residence. Dr. Desai must submit proof of involvement in such a program through quarterly compliance reports. Dr. Desai must cause his counselor and/or his sponsor through AA to submit quarterly reports that address his stress management skills and identification of triggers. While on probation, Dr. Desai is not to be involved in any direct patient care or telehealth outside of a residency program. He is also not to supervise or collaborate outside of a residency program. Dr. Desai must pay his \$2,000 fine from his board order from 2013, as well as the costs associated with the order from 2014 (\$210), and the \$5 health record fee. Dr. Desai must also pay a \$500 fine for failing to disclose additional criminal matters. All fines and fees must be paid within ninety (90) days of the final order. Mueller/McCann 6-0-0.

2. In the Matter of the License of Matt Rutz, M.D., 01072888A - CONTINUED Administrative Cause No. 2021 MLB 0021 Re: Motion to Dismiss

3. In the Matter of the License of Norbert Schwer, M.D., 01049415A Administrative Cause No. 2022 MLB 0020

Re: Notice of Proposed Default

DAG: Ian Mathew

Respondent: Not present

Witness(es): Deanna Silva, OAG Case Analyst Exhibit(s): Exhibit A – Consumer Complaint

Exhibit B – Judgment of Sentence Exhibit C – MI Revocation Order

A motion was made and seconded to hold Respondent in default. McCann/Barai 6-0-0.

A motion was made and seconded to revoke the license. Barai/Mueller 6-0-0.

# V. Adjournment

## **Upcoming Board Dates**

**December 1, 2022** 

**January 26, 2023** 

**February 23, 2023** 

March 23, 2023

**April 27, 2023** 

May 25, 2023

June 22, 2023

July 27, 2023

August 24, 2023

**September 28, 2023** 

October 26, 2023

**December 7, 2023**